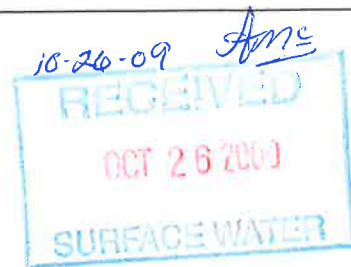




P.O. Box 625, Rt. 331S, Millsboro, DE 19966

October 23, 2009

Allen McCloskey
Sr. Environmental Compliance Specialist
Division of Water Resources
DNREC
89 Kings Highway
Dover, DE 19966



RE: DE0000736 – BOD limit

Dear Allen:

I am writing to notify you about a probable BOD violation that occurred on 10/13/09-10/14/09. Upon taking off the BOD samples on Monday, 10/19/2009, I discovered that my only BOD test results assuming a total D.O. depletion to 0.0mg/l gave me effluent BOD results of >29.7 mg/L and >29.6 mg/L. These were on the 90 ml dilutions as we had run our monthly duplicates that day at 90 and 150 ml. These are our normal dilutions. The effluent appearance gave us no reason to suspect that any problems were occurring. The TSS off the same composite was 9mg/L. The composite sampler was run from 8 AM 10/13/09-8AM 10/14/09. I knew you had told me that you were getting a shot for your back that day so I called Mr. Davis. He instructed us to do a 24 hr. composite then and again later in the week.

Unfortunately, we were unable to continue flow on Monday due to a degradation in the clarifier effluent quality. While turbidities remained below 35 FAU on Sunday and early Monday morning, turbidity began to climb in clarifier overflow samples (prior to the filters), and a decision was made to stop flow and cancel Monday night and Tuesday production. Flow was resumed Tuesday afternoon, 10/20/09, and the sampler was set up at 6 PM. Unfortunately, we again had to stop flow, this time for a rising sludge blanket. Flow was ceased well before any solids could overflow from the clarifier. I did BOD tests on the sample obtained from 6 PM to 5 AM. I put on dilutions as low as 1.5 ml. Suspended solids were also tested on the eleven hour composite, and TSS was measured at 3 mg/L.

We have since taken a 24 hour composite from 11:30 am on the 21st to 11:30 am on the 22nd. Turbidities have remained low since start-up on Tuesday afternoon, and suspended solids on the composite sample were measured at 1 mg/L. I will contact you as soon as the BOD test results are complete. Going forward, per Mr. Davis's suggestion, we will do a smaller sample size with greater dilution on all effluent BOD tests.

Any questions or concerns, please call me.

Sincerely,

A handwritten signature in cursive script that reads "Bob Lynch".

Bob Lynch
Environmental/Wastewater Supervisor
(302)934-3833